

REMARKS**1. Formal Matters****a. Status of the Claims**

Claims 16-24 are pending in this application. Claims 17 and 20 were previously withdrawn from consideration, and claim 24 is currently withdrawn as being drawn to an unelected invention. Applicant respectfully requests entry of the amendments and remarks made herein into the file history of the application. Upon entry of these amendments, claims 16, 18, 19, and 21-23 are pending and under active consideration.

2. Restriction/Election

On pages 2-5 of the Office Action, the Examiner requires supplemental restriction to one of the following inventions under 35 U.S.C. § 121:

- I. Claims 16, 18, 19, and 21-23, drawn to an isolated nucleic acid consisting of X nucleotides where X is 19-140 and the sequence of the nucleic acid comprises: (a) at least Y consecutive nucleotides of SEQ ID NO: 399738 wherein Y is at least 19, wherein Y is more specifically SEQ ID NO: 14051; (b) an RNA equivalent of (a); (c) a sequence at least 80% identical to (a) or (b); or (d) the complement of any one of (a)-(c); wherein X=Y; and to a vector comprising the nucleic acid.
- II. Claim 24, drawn to a method for detecting the nucleic acid of claim 18.

Applicant without traverse elects Group I, which is considered claims 16, 18, 19, and 21-23 for further prosecution. Applicant, however, hereby notifies the Examiner of their intention to request rejoinder of Group II with Group I upon a Notice of Allowance of claims 16, 18, 19, and 21-23.

3. Conclusion

Applicant respectfully submits that the instant application is in good and proper order for substantive examination. If, in the opinion of the Examiner, a telephone conference would expedite prosecution of the instant application, the Examiner is encouraged to call the undersigned at the number listed below.

Respectfully submitted,

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